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THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 108236-119)

Applicant: Colucci et al.) Examiner: Saunders
Serial No.: 09/476,485)
Filed: December 30, 1999)
For: PROGENITOR CELL PRESERVATION)
FACTORS AND METHODS FOR AND)
PRODUCTS OF THEIR USE)

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November 11, 2002

Date of Signature and of Mail Deposit

By Rochelle Harper Greenidge
Rochelle Harper Greenidge

Commissioner for Patents
Washington, DC 20231

RESPONSE TO A RESTRICTION REQUIREMENT

Dear Sir/Madam:

Claims 1-61 are pending in the above-referenced Application, and have been subjected to a Restriction Requirement dated October 18, 2002.

In response to the Restriction Requirement, Applicants elect the claims of Group I (claims 1-7, 9-14 and 61), drawn to a member of the FRIL protein family, for examination at this time.

This election is made with traverse as to Group II (Claim 8), and without traverse to as to Groups II-VIII.

Applicants respectfully aver that examination of the inventions of Groups I and II would not be unduly burdensome to the Examiner. In particular, Claim 8, the sole claim in Group II, is drawn to a nucleic acid encoding a composition comprising a FRIL family member, as claimed in Claim 1. Applicants respectfully aver that any search for a FRIL family member, as encompassed by Claim 1, would also inevitably unveil art related to Claim 8. Thus, Applicants

Response to Restriction Requirement
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respectfully aver that examination of Claim 8 with Claim 1 would not be unduly burdensome to the Examiner.

Conclusion

Applicants submit that the Application is ready for substantive examination. If the Examiner believes that any further discussion of this communication would be helpful, s/he is encouraged to contact the undersigned by telephone.

No additional fees are believed to be due in connection with this communication. However, please apply any additional charges, or credit any overpayment, to our Deposit Account No. 08-0219.

Respectfully submitted,
HALE AND DORR LLP



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Date: November 11, 2002